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Respectfully submitted,

By:   
Thomas L. Evans, PTO Reg. No. 35,805  
BANNER AND WITCOFF, LTD.Atty. Docket No.  
003797.00013PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Jeffrey H. ALGER ET AL.

Examiner: P. Chea

U.S. Pat. App. No.: 09/892,228

Group Art Unit: 2153

Filing Date: June 25, 2001

For: CLIENT PORTAL

REQUEST FOR RECONSIDERATION

Commissioner for Patents  
P.O. Box 1450,  
Alexandria, Virginia 22313-1450

Sir:

Applicant respectfully asks for reconsideration of both this application and the Office Action dated April 21, 2005.

In that Office Action, the Examiner maintained the rejection claims 1, 2, 4, and 5 under 35 U.S.C. §102(b) over the RealPlayer 5.0 Manual from RealNetworks, Inc. (hereafter referred to as the "RealPlayer manual"). The Examiner also rejected claims 1, 2, and 5-15 under 35 U.S.C. §102(b) over U.S. Patent No. 6,029,141 to Bezos et al. Applicants respectfully traverse both of these rejections, and courteously ask for their reconsideration.

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Atty. Docket No.: 003797.00013

More particularly, Applicants respectfully submit that the Examiner has not fully considered the language of the pending claims, and courteously ask that the Examiner more carefully review these claims. For example, in responding to Applicants' Amendment of February 9, 2005, the Examiner specifically noted:

The claim does not disclose a browser only capable of retrieving content from preselected sites that are related to providing a particular product. (See Office Action page 5, lines 21-22.)

Based upon this assertion, the Examiner concluded that "the browser claimed can potentially access any site, but when browsing a product web page, like that disclosed by Bezos et al., only those preselected sites presented from the web page are available for selection." (*Id.*, lines 22-24.)

Applicants respectfully invite the Examiner's attention, however, to claim 6, which expressly recites "a client portal...comprising: a browser capable of retrieving content from only preselected sites that are related to providing the particular product." Thus, the Examiner's argument for maintaining the rejection of this claim over the Bezos et al. patent would appear to directly contravene the express language recited in this claim.

As previously noted, claims 1-4 recite that a client portal that is capable of retrieving content from only preselected sites in the network. Claims 6-15 similarly recite a client portal comprising a browser capable of retrieving content from only preselected sites that are related to providing a particular product. Thus, the client portal according to the claimed invention is limited to accessing only specific sites.

Applicants again submit that these features of the invention are not taught or suggested by

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either the RealPlayer manual or the Bezos et al. patent. In rejecting claims 1, 2, and 4, the Examiner relied upon the destination buttons of the RealPlayer Plus 5.0 application. While these buttons do access preselected content when activated, the RealPlayer Plus 5.0 application itself is not limited to accessing preselected sites. Further, Applicants point out that the destination buttons of the RealPlayer Plus 5.0 application themselves are not synonymous to the client portal recited in claims 1, 2, and 4, and thus would not anticipate the features of the invention recited in these claims. As discussed in the specification at, e.g., page 9, column 26, a client portal has a set of operating functions and a memory. The destination buttons, on the other hand, only activate an operating function provided by the RealPlayer Plus 5.0 application. Applicants respectfully submit that the Examiner may not rely upon a single function of the RealPlayer Plus 5.0 application and assert that this single function, taken in isolation, anticipates the client portal recited in claims 1, 2, and 4.

Similarly, the nothing in the Bezos et al. patent would teach or suggest the features of the invention recited in claims 1, 2, and 6-14. As previously noted, a client portal as described in the specification and recited in these claims is more than a mere HTML page. More particularly, as discussed in detail above, a client portal includes operating function and a memory. The Bezos et al. patent, however, only discloses to "associate" Web site that provides "referral links" to other "merchant" Web sites.

Further, Applicants again point out that, with regard to operating functions for obtaining content, the Bezos et al. patent specifically teaches that the merchant Web site may be accessed through a conventional browser, such as Microsoft's Internet Explorer or Netscape's Navigator.

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(See, e.g., column 6, lines 59-63, specifically relied upon by the Examiner). This patent does not teach or suggest a browser (or any other system serving as a client portal with operating functions and a memory) that is capable of retrieving content from only preselected sites that are related to providing a particular product, as recited in claims 6-15. Likewise, the Bezos et al. patent does not teach or suggest a client portal capable of retrieving content from only preselected sites, as recited in claims 1-4.

Applicants therefore again submit that the RealPlayer 5.0 manual does not teach or suggest the features of the invention recited in any of claims 1-4 and 6-14. It is similarly urged that the Bezos et al. patent does not teach or suggest the features of the invention recited in any of claims 1-4 and 6-15. Accordingly, Applicants request that both the rejection of claims 1, 2, and 4 over the RealPlayer manual and the rejection of claims 1, 2, and 6-15 over the Bezos et al. patent be withdrawn.

In addition, claim 14 was rejected under 35 U.S.C. 103 over the Bezos et al. patent in view of "Recommender Systems in E-Commerce" by Shafer et al. (hereafter referred to as the "Shafer et al. article"), while claim 3 was rejected under 35 U.S.C. §103 over the Bezos et al. patent in view of allegedly admitted prior art disclosed in Applicants' specification. Applicants respectfully traverse both of these rejections, and ask for their reconsideration.

As explained in detail above, the Bezos et al. patent does not teach or suggest a client portal capable of retrieving content from only preselected sites, as recited in claims 1-4. This patent likewise does not teach or suggest a client portal capable of retrieving content from only preselected sites that are related to providing a particular product, as recited in claims 6-15.

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Applicants courteously submit that nothing in the Shafer et al. article or Applicants' own specification would remedy the omissions of the Bezos et al. patent. Accordingly, it is submitted that no combination of the Bezos et al. patent, the Shafer et al. article, and the prior art allegedly disclosed in Applicants' own specification would teach or suggest the features of the invention recited in either of claims 3 and 14. Applicants therefore ask that the rejections of these claims be withdrawn.

It is believed that no fees are due for the entry and consideration of this Amendment. If, however, the Commissioner believes that fees are required, the Commissioner is hereby authorized to charge any fees deemed necessary to maintain the pendency of this application, including any fees under 35 U.S.C. §1.16 and §1.17, to the deposit account of the undersigned, Deposit Account No. 19-0733.

In view of the above remarks, Applicants respectfully submit that all of the claims are allowable, and that this application is therefore in condition for allowance. Applicants courteously ask for favorable action at the Examiner's earliest convenience.

Respectfully submitted,

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